

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIADALLAS BROOKS ACHANE,  
Petitioner,

v.

PEOPLE OF THE STATE OF  
CALIFORNIA,  
Respondents.

Case No. 22-cv-5100 BLF (PR)

**ORDER OF DISMISSAL**

Petitioner filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Dkt. No. 1. On September 27, 2022, mail sent to Petitioner at Humboldt County Correctional Center (“HCCC”) by the Court was returned as undeliverable with “Not in Custody” written on the envelope. Dkt. No. 4. On October 11, 2022, Docket Nos. 5 and 6 were mailed to Petitioner at HCCC and returned on October 17 and 18, 2022, with a stamp stating, “Return to Sender; No Longer In Custody.” Dkt. Nos. 7, 8. To date, Petitioner has not communicated with the Court since filing this action.


Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* L.R. 3-11(a). The Court may, without prejudice, dismiss a petition when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails

1 to receive within sixty days of this return a written communication from the pro se party  
2 indicating a current address. *See* L.R. 3-11(b).

3 More than sixty days have passed since the first court mail addressed to Petitioner  
4 was returned as undeliverable on September 27, 2022. The Court has not received a notice  
5 from Petitioner of a new address. Accordingly, the instant habeas petition is **DISMISSED**  
6 without prejudice pursuant to Rule 3-11 of the Northern District Local Rules.

7 **IT IS SO ORDERED.**

8 Dated: December 1, 2022

  
BETH LABSON FREEMAN  
United States District Judge

United States District Court  
Northern District of California